



The CONSTITUTION of  
First Lutheran Church  
Colton, SD  
January 2017 Revision

**PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

**Chapter 1. NAME AND INCORPORATION**

C1. 01. The name of this congregation shall be "**First Lutheran Church**".

C1. 02. For the purpose of this constitution and the accompanying by-laws, the First Lutheran congregation is hereinafter designated as "this congregation."

C1. 11. This congregation shall be incorporated under the laws of the State of South Dakota.

**Chapter 2. CONFESSION OF FAITH**

C2. 01. This congregation confesses the Triune God; Father, Son and Holy Spirit.

C2. 02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe. Jesus Christ is the Word of God Incarnate, through whom everything was made and through whose life, death and resurrection God fashions a new creation. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in Creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

C2. 03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith and life.

C2. 04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

C2. 05. This congregation accepts the unaltered Augsburg Confessions as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

C2. 06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

C2. 07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

57 **Chapter 3. NATURE OF THE CHURCH**

58 C3. 01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this  
59 congregation are to be carried out under his rule and authority.

60  
61 \*C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve  
62 Christian Unity throughout the world.

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64 \*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for  
65 worship and Christian service. Congregations find their fulfillment in the universal  
66 community of the Church, and the universal Church exists in and through congregations. The  
67 Evangelical Lutheran Church in America, therefore, derives its character and powers both  
68 from the sanction and representation of its congregations and from its inherent nature as an  
69 expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in  
70 the historic continuity of the communion of saints; in breadth, it expresses the fellowship of  
71 believers and congregations in our day.

72  
73 \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World  
74 Federation as a global communion of churches, engaging in faithful witness to the gospel of  
75 Jesus Christ and in service for the sake of God’s mission in the world.

76  
77 \*C3.05. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein  
78 refers in general references to this whole church, including its three expressions:  
79 congregations, synods, and the churchwide organization. The name Evangelical Lutheran  
80 Church in America is also the name of the corporation of the churchwide organization to  
81 which specific references may be made herein.

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83  
84 **Chapter 4. STATEMENT OF PURPOSE**

85 C4. 01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent  
86 to bear witness to God’s creative, redeeming, and sanctifying activity in the world.

87  
88 C4. 02. To participate in God’s mission, this congregation as a part of the Church shall:  
89 a. Worship God in proclamation of the Word and administration of the sacraments and  
90 through lives of prayer, praise, thanksgiving, witness and service.  
91 b. Proclaim God’s saving Gospel of justification by grace for Christ’s sake through faith  
92 alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting  
93 the Gospel faithfully to future generations.  
94 c. Carry out Christ’s Great Commission by reaching out to all people to bring them to faith in  
95 Christ and by doing all ministry with a global awareness consistent with the understanding of  
96 God as Creator, Redeemer and Sanctifier of all.  
97 d. Serve in response to God’s love to meet human needs, caring for the sick and the aged,  
98 advocating dignity and justice for all people, working for peace and reconciliation among the  
99 nations, and standing with the poor and powerless, and committing itself to their needs.  
100 e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see  
101 daily life as the primary setting for the exercise of their Christian calling, and to use the gifts  
102 of the Spirit for their life together and for their calling in the world.  
103 f. Manifest the unity given to the people of God by living together in the love of Christ and  
104 by joining with other Christians in prayer and action to express and preserve the unity which  
105 the Spirit gives.

106  
107 C4. 03. To fulfill these purposes, this congregation shall:  
108 a. Provide services of worship at which the Word of God is preached and the sacraments are  
109 administered.  
110 b. Provide pastoral care and assist all members to participate in this ministry.  
111 c. Challenge, equip and support all members in carrying out their calling in their daily lives  
112 and in their congregation.  
113 d. Teach the Word of God.  
114 e. Witness to the reconciling Word of God in Christ, reaching out to all people.

- 115 f. Respond to human need, work for justice and peace, care for the sick and suffering, and
- 116 participate responsibly in society.
- 117 g. Motivate its members to provide financial support for the congregation's ministry and the
- 118 ministry of other parts of the Evangelical Lutheran Church in America.
- 119 h. Foster and participate in interdependent relationships with other congregations, the synod
- 120 and the Evangelical Lutheran Church in America.
- 121 i. Foster and participate in ecumenical relationships consistent with churchwide policy.

122  
 123 C4. 04. This congregation shall develop an organizational structure to be described in the bylaws. The  
 124 Church Council shall prepare descriptions of the responsibilities of each committee, task force or other  
 125 organizational groups and shall review their actions. Such description shall be contained in continuing  
 126 resolutions of the Church Council.

127  
 128 C4. 05. This congregation shall, from time to time, adopt a mission statement which will provide  
 129 specific direction for its programs.

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 132 **Chapter 5. POWERS OF THE CONGREGATION**

133 C5. 01. The powers of the congregation are those necessary to fulfill its purpose.

134  
 135 C5. 02. The powers of this congregation are vested in the Congregation Meeting called and conducted as  
 136 provided in this constitution and bylaws.

137  
 138 C5.03. Only such authority as is delegated to the Congregation Council or other organizational units  
 139 in this congregation's governing documents is recognized. All remaining authority is retained  
 140 by the congregation. The congregation is authorized to:

- 141 . . .
- 142 c. call a minister of Word and Service;
- 143 d. terminate the call of a minister of Word and Service in conformity with the constitution
- 144 of the Evangelical Lutheran Church in America;
- 145 e. adopt amendments to the constitution, as provided in Chapter-16, amendments to the
- 146 bylaws, as specified in Chapter-17, and continuing resolutions, as provided in Chapter
- 147 18;
- 148 f. approve the annual budget;
- 149 g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- 150 h. hold title to and use its property for any and all activities consistent with its purpose;
- 151 i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- 152 j. elect its [officers][,] [and] Congregation Council, [boards, and committees,] and require
- 153 [them] [the members of the council] to carry out their duties in accordance with the
- 154 constitution[, ] [and] bylaws[, ] [and continuing resolutions]; and
- 155 k. terminate its relationship with the Evangelical Lutheran Church in America as provided
- 156 in Chapter 6.

157  
 158 C5. 04. This congregation shall choose from among its voting members laypersons to serve as voting  
 159 members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster,  
 160 coalition, or other area subdivision of which it is a member. The number of persons to be elected by the  
 161 congregation and other qualifications shall be as prescribed in guidelines established by the South Dakota  
 162 Synod of the Evangelical Lutheran Church in America.

163  
 164 C5.05. This congregation shall have a mission endowment fund that will operate as specified in this  
 165 congregation's [bylaws] [continuing resolutions]. The purpose of the mission endowment fund is to  
 166 provide for mission work beyond the operational budget of this congregation.

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 168  
 169 **Chapter 6. CHURCH AFFILIATION**

170 C6. 01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in  
 171 America or its successor, and of the South Dakota Synod of the Evangelical Lutheran Church in  
 172 America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

- 174 C6. 02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical  
175 Lutheran Church in America and shall act in accordance with them.  
176
- 177 C6. 03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in  
178 America in which:
- 179 a. This congregation agrees to be responsible for its life as a Christian community.
  - 180 b. This congregation pledges its financial support and participation in the life and mission of  
181 the Evangelical Lutheran Church in America.
  - 182 c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and  
183 Sacrament of the Evangelical Lutheran Church in America in accordance with its call  
184 procedures except in special circumstances and with the approval of the bishop of the  
185 synod. These special circumstances are limited either to calling a candidate approved for  
186 the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in  
187 America or to contracting for pastoral services with a minister of Word and Sacrament  
188 of a church body with which the Evangelical Lutheran Church in America officially has  
189 established a relationship of full communion.
  - 190 d. This congregation agrees to consider ministers of Word and Service for call to other staff  
191 positions in the congregation according to the procedures of the Evangelical Lutheran  
192 Church in America.
  - 193 e. This congregation agrees to call pastoral leadership from the clergy roster of the  
194 Evangelical Lutheran Church in America in accordance with its call procedures except in  
195 special circumstances and with the approval of the bishop of the synod. These special  
196 circumstances are limited either to calling a candidate approved for the roster of ordained  
197 ministers of the Evangelical Lutheran Church in America or to contracting for pastoral  
198 services with an ordained minister of a church body with which the Evangelical Lutheran  
199 Church in America officially has established a relationship of full communion in according to  
200 the procedures of the Evangelical Lutheran Church in America.
  - 201 f. This congregation agrees to file this constitution and any subsequent changes to this  
202 constitution with the synod for review to ascertain that all of its provisions are in agreement  
203 with the constitution and bylaws of the Evangelical Lutheran Church in America and with the  
204 constitution of the synod.  
205
- 206 C6. 04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- 207 a. This congregation takes action to dissolve.
  - 208 b. This congregation ceases to exist.
  - 209 c. This congregation is removed from membership in the Evangelical Lutheran Church in  
210 America according to the procedures for discipline of the Evangelical Lutheran Church in  
211 America.
  - 212 d. This congregation follows the procedures outlined in C6. 05.  
213
- 214 C6. 05. This congregation may terminate its relationship with the Evangelical Lutheran Church in  
215 America by the following procedures:
- 216 a. A resolution indicating the intent to terminate its relationship must be adopted at a legally  
217 called and conducted special meeting of the congregation by a two-thirds vote of the voting  
218 members present. Such meeting may be held no sooner than 30 days after written notice of  
219 the meeting is received by the bishop of the synod, during which time the congregation shall  
220 consult with the bishop and the bishop's designees, if any. The times and manner of the  
221 consultation shall be determined by the bishop in consultation with the congregation council.  
222 Unless he or she is a voting member of the congregation, the bishop and the bishop's  
223 designees, if any, shall have voice but not vote at the meeting.
  - 224 b. The secretary of the congregation shall submit a copy of the resolution to the bishop,  
225 attesting that the special meeting was legally called and conducted and certifying the outcome  
226 of the vote, and shall mail a copy of the resolution to the members of the congregation. This  
227 notice shall be submitted within 10 days after the resolution.
  - 228 c. The bishop of the synod and the congregation shall continue in consultation, as specified in  
229 paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice  
230 as specified in paragraph b. above  
231

- 232 d. If this congregation, after consultation, still desires to terminate its relationship, such  
233 action may be taken at a legally called and conducted special meeting by a two-thirds  
234 majority of the voting members present, at which meeting the bishop of the synod or an  
235 authorized representative shall be present. Notice of the meeting shall be mailed to all voting  
236 members at least 10 days in advance of the meeting. If the congregation, after such  
237 consultation, still seeks to terminate its relationship, such action may be taken at a legally  
238 called and conducted special meeting by a two-thirds vote of the voting members present.  
239 Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days  
240 in advance of the meeting.
- 241 e. A copy of the resolution, attesting that the special meeting was legally called and  
242 conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days  
243 after the resolution has been adopted, at which time the relationship between the congregation  
244 and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this  
245 notification to the bishop also certifies that the congregation has voted by a two-thirds vote to  
246 affiliate with another Lutheran denomination, the congregation will be conclusively presumed  
247 to be an independent or non-Lutheran church.
- 248 f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this  
249 church and published in the periodical of this church. Notice of termination shall be  
250 forwarded by the bishop to the secretary of this church, who shall report the termination to the  
251 Churchwide Assembly.
- 252 g. This congregation shall abide by these covenants by and among the three expressions of  
253 this church:
- 254 1) Congregations seeking to terminate their relationship with this church which fail or  
255 refuse to comply with each of the foregoing provisions in \*C6.05. shall be required  
256 to receive Synod Council approval before terminating their membership in this  
257 church.
  - 258 2) Congregations which had been members of the Lutheran Church in America shall be  
259 required, in addition to complying with the foregoing provisions in \*C6.05., to  
260 receive synodical approval before terminating their membership in this church.
  - 261 3) Congregations established by the Evangelical Lutheran Church in America shall be  
262 required, in addition to complying with the foregoing provisions in \*C6.05., to  
263 satisfy all financial obligations to this church and receive Synod Council approval  
264 before terminating their membership in this church.
- 265 h. If this congregation fails to achieve the required two-thirds vote of voting members  
266 present at the congregation's first meeting as specified in paragraph a. above, another  
267 special meeting to consider termination of relationship with this church may be called no  
268 sooner than six months after that first meeting. If this congregation fails to achieve the  
269 required two-thirds vote of voting members present at the congregation's second meeting  
270 as specified in paragraph d. above, another attempt to consider termination of  
271 relationship with this church must follow all requirements of \*C6.05. and may begin no  
272 sooner than six months after that second meeting.
- 273 i. Congregations established by the Evangelical Lutheran Church in America shall be  
274 required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all  
275 financial obligations to this church and receive synod council approval before terminating  
276 their membership in this church.
- 277 j. If a congregation fails to achieve the required two-thirds vote of voting members present at  
278 the congregation's first meeting as specified in paragraph a. above, another special meeting to  
279 consider termination of relationship with this church may be called no sooner than six months  
280 after that first meeting. If a congregation fails to achieve the required two-thirds vote of  
281 voting members present at the congregation's second meeting as specified in paragraph d.  
282 above, another attempt to consider termination of relationship with this church must follow all  
283 requirements of \*C6.05. and may begin no sooner than six months after that second meeting.  
284

285 C6. 06. If this congregation is considering relocation, it shall confer with the bishop of the synod before  
286 any steps are taken leading to such action. The approval of the Synod Council shall be received before  
287 any such action is effected. If this congregation considers relocation, it shall confer with the bishop of the  
288 synod in which it is territorially located and the appropriate program unit of the churchwide organization  
289 before any steps are taken leading to such action. The approval of the Synod Council shall be received  
290 before any such action is effected.

291 C0.07 If this congregation considers developing an additional site to be used regularly for worship, it  
292 shall confer with the bishop of the synod in which it is territorially located and the appropriate program  
293 unit of the churchwide organization before any steps are taken leading to such action.  
294  
295

## 296 **Chapter 7. PROPERTY OWNERSHIP**

297 C7. 01. If this congregation ceases to exist, title to undisposed property shall pass to the South Dakota  
298 Synod of the Evangelical Lutheran Church in America.  
299

300 C7. 02. If this congregation is removed from membership in the Evangelical Lutheran Church in  
301 America according to its procedure for discipline, title to property shall continue to reside in this  
302 congregation.  
303

304 C7. 03. If two-thirds of the voting members of this congregation present at a regularly called and  
305 conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to  
306 property shall continue to reside in this congregation. Before this congregation takes action to transfer to  
307 another Lutheran church body, it shall consult with representatives of the South Dakota Synod.  
308

309 C7. 04. If two-thirds of the voting members of this congregation present at a legally called and  
310 conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran  
311 church body and have followed the process for termination of relationship in \*C6.05., title to property of  
312 this congregation shall continue to reside in this congregation only with the consent of the Synod  
313 Council. The Synod Council, after consultation with this congregation by the established synodical  
314 process, may give approval to the request to become independent or to relate to a non-Lutheran church  
315 body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to  
316 give such approval, title shall remain with those members who desire to continue as a congregation of the  
317 Evangelical Lutheran Church in America.  
318  
319

## 320 **Chapter 8. MEMBERSHIP**

321 C8. 01. Members of this congregation shall be those baptized persons on the roll of the congregation at  
322 the time that this constitution is adopted and those who are admitted thereafter and who have declared  
323 and maintain their membership in accordance with the provisions of this constitution and its bylaws.  
324

325 C8. 02. Members shall be classified as follows:

326 **a. Baptized** members are those persons who have been received by the Sacrament of Holy  
327 Baptism in this congregation, or, having been previously baptized in the name of the Triune  
328 God, have been received by certificate of transfer from other Lutheran congregations or by  
329 affirmation of faith.

330 **b. Confirmed** members are baptized persons who have been confirmed in this congregation,  
331 those who have been received by adult baptism or by transfer as confirmed members from  
332 other Lutheran congregations, or baptized persons received by affirmation of faith.

333 **c. Voting** members are confirmed members. Such confirmed members, during the current  
334 or preceding calendar year, shall have communed in this congregation and shall have  
335 made a contribution of record to this congregation. Members of this congregation who  
336 have satisfied these basic standards shall have the privilege of voice and vote at every  
337 regular and special meeting of the congregation as well as the other rights and privileges  
338 ascribed to voting members by the provisions of this constitution and its bylaws.

339 **d. Associate** members are persons holding membership in other [ELCA] [Lutheran] [Christian]  
340 congregations who wish to retain such membership but desire to participate in the life  
341 and mission of this congregation. These individuals have all the privileges and duties of  
342 membership except voting rights-or other rights and privileges ascribed to voting  
343 members by the provisions of this constitution and its bylaws.

344 **e. Seasonal** members are voting members of other ELCA congregations who wish to retain  
345 such membership but desire to participate in the life and mission of this congregation,  
346 including exercising limited voting rights in this congregation. The Congregation  
347 Council may grant seasonal membership to such persons provided that this congregation  
348 is a member of a synod where the Synod Council has approved seasonal member voting

349 on its territory. Such seasonal members shall have all the privileges and duties of voting  
350 members except that:  
351 1) they shall not be eligible for elected office in, or for membership on the  
352 Congregation Council or on a call committee of, this congregation;  
353 2) they shall not have the right to vote on any matter concerning or affecting the call or  
354 termination of call of any minister of this congregation;  
355 3) they shall not have the right to vote on any matter concerning or affecting the  
356 affiliation of this congregation with the ELCA;  
357 4) they shall not be eligible to serve as voting members from this congregation of the  
358 Synod Assembly or the Churchwide Assembly;  
359 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by  
360 absentee ballot; and  
361 6) they shall not, within any two calendar month period, exercise voting rights in this  
362 congregation and in the congregation where they remain voting members.  
363

364 C8. 03. All applications for confirmed membership shall be submitted to, and shall require the approval  
365 of, the Church Council.  
366

367 C8. 04. It shall be the privilege and duty of members of this congregation to:  
368 a. make regular use of the means of grace, both Word and sacraments;  
369 b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran  
370 Church; and  
371 c. support the work of this congregation, the synod, and the churchwide organization of the  
372 Evangelical Lutheran Church in America through contributions of their time, abilities and  
373 financial support as biblical stewards.  
374

375 C8. 05. Membership in this congregation shall be terminated by any of the following:  
376 a. death;  
377 b. resignation;  
378 c. transfer or release;  
379 d. disciplinary action in accordance with ELCA constitutional provision 2041. and the  
380 accompanying bylaws; or  
381 e. removal from the roll due to inactivity-in accordance with the provisions of this  
382 constitution and its bylaws.  
383 f. Such persons who have been removed from the roll of members shall remain persons for  
384 whom the Church has a continuing pastoral concern.  
385 Such persons who have been removed from the roll of members shall remain persons for  
386 whom the church has a continuing pastoral concern  
387

388 C8. 06. A confirmed member who does not, for a period of one year, partake of Holy Communion,  
389 support the church with his/her offerings, and does not appear to desire to participate in the life and  
390 worship of the congregation shall be visited by the pastor and the congregation's officers and encouraged  
391 by them to active membership. If, during the second year, the confirmed member does not actively  
392 participate, his/her name shall be removed from the membership of the congregation but be retained on a  
393 responsibility list as one who is in special need of the congregation's prayer and concern.  
394  
395

## 396 **Chapter 9. ROSTERED MINISTER**

397 C9. 01. Authority to call a pastor shall be in this congregation by at least a **two-thirds** vote of voting  
398 members present and voting at a meeting regularly called for that purpose. Before a call is issued, the  
399 officers, or a committee elected by this congregation to recommend the call, shall seek the advice and  
400 help of the bishop of the synod.  
401

402 C9. 02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran  
403 Church in America or who has been recommended for it by the synodical bishop may be called as a  
404 pastor of this congregation.  
405  
406

- 407 C9. 03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,  
408 a. Every Word and Sacrament minister shall:
- 409 1) preach the Word;
  - 410 2) administer the Sacraments;
  - 411 3) conduct public worship;
  - 412 4) provide pastoral care;
  - 413 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
  - 414 6) impart knowledge of this church and its wider ministry through distribution of its  
415 communications and publications;
  - 416 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
  - 417 8) speak publicly to the world in solidarity with the poor and oppressed, calling for  
418 justice and proclaiming God's love for the world.
- 419 b. Each pastor with a congregational call shall, within the congregation:
- 420 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 421 2) relate to all schools and organizations of this congregation;
  - 422 3) install regularly elected members of the Congregation Council;
  - 423 4) with the council, administer discipline
  - 424 5) endeavor to increase the support given by the congregation to the work of the ELCA  
425 churchwide organization and of the South Dakota Synod of the ELCA.
- 426
- 427 C9. 04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the  
428 pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.  
429
- 430 C9. 05. The provisions for termination of the mutual relationship between a minister of Word and  
431 Sacrament and this congregation shall be as follows:
- 432 a. The call of this congregation, when accepted by a pastor, shall constitute a continuing  
433 mutual relationship and commitment, which, except in the case of the death of the pastor,  
434 shall be terminated only following consultation with the synodical bishop and for the  
435 following reasons:
- 436 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 437 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30  
438 days after the date on which it was submitted;
  - 439 3) inability to conduct the pastoral office effectively in the congregation in view of local  
440 conditions, without reflection on the competence or the moral and spiritual character of  
441 the pastor;
  - 442 4) the physical or mental incapacity of the pastor;
  - 443 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or  
444 continued neglect of duty;
  - 445 6) the dissolution of the congregation or the termination of a parish arrangement; or
  - 446 7) suspension of the congregation as a result of discipline proceedings.
- 447
- 448 b. When allegations of physical disability or mental incapacity of the pastor under  
449 paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3)  
450 above, have come to the attention of the bishop of this synod,
- 451 1) the bishop in his or her sole discretion may investigate such conditions personally  
452 together with a committee of two rostered ministers and one layperson, or
  - 453 2) when such allegations have been brought to the synod's attention by an official  
454 recital of allegations by the Congregation Council or by a petition signed by at least  
455 one-third of the voting members of the congregation, the bishop personally shall  
456 investigate such conditions together with a committee of two rostered ministers and  
457 one layperson.
- 458 c. In case of alleged physical disability or mental incapacity under paragraph a.4) above,  
459 the bishop's committee shall obtain and document competent medical opinion  
460 concerning the pastor's condition. When a disability or incapacity is evident to the  
461 committee, the bishop of this synod may declare the pastorate vacant.—When the  
462 pastorate is declared vacant, the Synod Council shall list the pastor on the roster of  
463 Ministers of Word and Sacrament as disabled. Upon removal of the disability and the  
464 restoration of the pastor to health, the bishop shall take steps to enable the pastor to  
465 resume the ministry, either in the congregation last served or in another appropriate call.



- 466 d. In the case of alleged local difficulties that imperil the effective functioning of the  
467 congregation, all concerned persons shall be heard, after which the bishop of the synod  
468 together with the committee described in \*C9.05.b. shall decide on the course of action to  
469 be recommended to the pastor and the congregation. If they agree to carry out such  
470 recommendations, no further action shall be taken by the synod. If either party fails to  
471 assent, the congregation may dismiss the pastor at a legally called meeting after  
472 consultation with the bishop, either (a) by a two-thirds vote of the voting members present  
473 and voting where the bishop and the committee did not recommend termination of the call,  
474 or (b) by a majority vote of the voting members present and voting where the bishop and  
475 the committee recommended termination of the call.
- 476 e. If, in the course of proceedings described in \*C9.05.d., the committee concludes that there  
477 may be grounds for discipline, the committee shall make recommendations concerning  
478 disciplinary action to the synodical bishop, who may bring charges in accordance with the  
479 provisions of the constitution and bylaws of the Evangelical Lutheran Church in America  
480 and the constitution of this synod.
- 481 f. If, following the appointment of the committee described in \*C9.05.b. or d., it should  
482 become apparent that the pastoral office cannot be conducted effectively in the  
483 congregation(s) being served by rostered minister due to local conditions, the bishop of the  
484 synod may temporarily suspend the pastor from service in the congregation(s) without  
485 prejudice and with pay provided through a joint synodical and churchwide fund and with  
486 housing provided by the congregation(s).

487  
488 C9. 06. In the event of alleged defection in doctrine or alleged conduct unbecoming a pastor, the matter  
489 shall be referred by the Church Council to the Bishop for disciplinary action as provided in the  
490 Constitution and the Bylaws of the Evangelical Lutheran Church in America.

491  
492 C9. 07. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod  
493 with the consent of this congregation or the congregation Council.

494  
495 C9. 08. During the period of service, an interim pastor shall have the rights and duties of a regularly  
496 called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the  
497 synod and this congregation or congregation Council. The interim pastor and any rostered minister  
498 providing assistance shall refrain from exerting influence in the selection of a pastor.

499  
500 C9. 09. This congregation shall make satisfactory settlement of all financial obligations to a former pastor  
501 before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this  
502 congregation

503  
504 C9.10. When a pastor is called to serve in company with another pastor or pastors, the privileges and  
505 responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in  
506 consultation involving the pastors, the congregation Council, and the bishop of the synod. As occasion  
507 requires, the documents may be revised through a similar consultation.

508  
509 C9.11. With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a., and  
510 call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and  
511 conditions involved. Prior to the completion of a term, the bishop or a designated representative of the  
512 bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a  
513 call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.

514  
515 C9.12. The pastor shall keep accurate parochial records of all baptism, confirmations, marriages, burials,  
516 communicants, members received, members dismissed, or members excluded from the congregation, and  
517 shall submit a summary of such statistics annually to the synod.  
518 The pastor, shall be a member of the congregation that has extended the letter of call. In a parish of  
519 multiple congregations, the pastor shall hold membership in one of the congregations.

520  
521 C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90  
522 days prior to each regular meeting of the Synod Assembly.

523

- 524 C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the  
525 property of the congregation. The secretary of this congregation shall attest in writing to the bishop of  
526 this synod that such records have been placed in his or her hands in good order by a departing pastor  
527 before the installation of that pastor in another field of labor or the granting by the synod of retired status  
528 to the pastor.  
529
- 530 **C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the  
531 concurrence of this congregation, minister of Word and Sacrament of a church body with  
532 which the Evangelical Lutheran Church in America officially has established a relationship  
533 of full communion may serve temporarily as pastor of this congregation under a contract  
534 between the congregation and the pastor in a form proposed by the synodical bishop and  
535 approved by the congregation.  
536
- 537 **\*C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a  
538 two-thirds vote of voting members present and voting at a meeting legally called for that  
539 purpose. Before a call is issued, the officers, or a committee elected by [this  
540 congregation][the Congregation Council] to recommend the call, shall seek the advice and  
541 help of the bishop of the synod.  
542
- 543 **\*C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran  
544 Church in America or a candidate for the roster of Ministers of Word and Service who has  
545 been recommended for this congregation by the synodical bishop may be called as a deacon  
546 of this congregation.  
547
- 548 **\*C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every  
549 minister of Word and Service shall:  
550 a. Be rooted in the Word of God, for proclamation and service;  
551 b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service  
552 on the frontiers of the Church's outreach, giving particular attention to the suffering  
553 places in God's world;  
554 c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice  
555 and proclaiming God's love for the world, witnessing to the realm of God in the  
556 community, the nation, and abroad;  
557 d. Equip the baptized for ministry in God's world that affirms the gifts of all people;  
558 e. Encourage mutual relationships that invite participation and accompaniment of others in  
559 God's mission;  
560 f. Practice stewardship that respects God's gift of time, talents, and resources;  
561 g. Be grounded in a gathered community for ongoing diaconal formation;  
562 h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the  
563 work of all expressions of this church; and  
564 i. Identify and encourage qualified persons to prepare for ministry of the gospel.  
565
- 566 **\*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service  
567 of the deacon shall be included in a letter of call, which shall be attested by the bishop of the  
568 synod.  
569
- 570 **\*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and  
571 Service and a congregation shall be as follows:  
572 a. The call of a congregation, when accepted by a deacon, shall constitute a continuing  
573 mutual relationship and commitment, which shall be terminated only by death or,  
574 following consultation with the synodical bishop, for the following reasons:  
575 1) mutual agreement to terminate the call or the completion of a call for a specific term;  
576 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no  
577 later than 30 days after the date on which it was submitted;  
578 3) inability to conduct the ministry of Word and Service effectively in this congregation  
579 in view of local conditions;  
580 4) physical disability or mental incapacity of the deacon;  
581 5) suspension of the deacon through discipline for more than three months;

- 582 6) resignation or removal of the deacon from the roster of Ministers of Word and  
583 Service of this church;
- 584 7) termination of the relationship between this church and this congregation;
- 585 8) dissolution of this congregation or the termination of a parish arrangement; or
- 586 9) suspension of this congregation through discipline for more than six months.
- 587 b. When allegations of physical disability or mental incapacity of the deacon under  
588 paragraph a.4) above, or ineffective conduct of the office of minister of Word and  
589 Service under paragraph a.3) above, have come to the attention of the bishop of this  
590 synod,
- 591 1) the bishop in his or her sole discretion may investigate such conditions personally  
592 together with a committee of two rostered ministers and one layperson, or
- 593 2) when such allegations have been brought to the synod's attention by an official  
594 recital of allegations by the Congregation Council or by a petition signed by at least  
595 one-third of the voting members of this congregation, the bishop personally shall  
596 investigate such conditions together with a committee of two rostered ministers and  
597 one layperson.
- 598 c. In case of alleged physical disability or mental incapacity under paragraph a.4) above,  
599 the bishop's committee shall obtain and document competent medical opinion  
600 concerning the deacon's condition. When a disability or incapacity is evident to the  
601 committee, the bishop of this synod may declare the position vacant. When the position  
602 is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of  
603 Word and Service as disabled. Upon removal of the disability and the restoration of the  
604 deacon to health, the bishop shall take steps to enable the deacon to resume the ministry,  
605 either in the congregation last served or in another appropriate call.
- 606 d. In the case of alleged local difficulties that imperil the effective functioning of this  
607 congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear  
608 from all concerned persons, after which the bishop together with the committee shall  
609 present their recommendations first to the deacon and then to this congregation. The  
610 recommendations of the bishop's committee must address whether the deacon's call  
611 should come to an end and, if so, may suggest appropriate severance arrangements. The  
612 committee may also propose other actions that should be undertaken by this  
613 congregation and by the deacon, if appropriate. If the deacon and congregation agree to  
614 carry out such recommendations, no further action need be taken by the synod.
- 615 e. If either party fails to assent to the recommendations of the bishop's committee  
616 concerning the deacon's call, this congregation may dismiss the deacon only at a legally  
617 called meeting after consultation with the bishop, either (a) by a two-thirds majority vote  
618 of the voting members present and voting where the bishop and the committee did not  
619 recommend termination of the call, or (b) by a simple majority vote of the voting  
620 members present and voting where the bishop and the committee recommended  
621 termination of the call.
- 622 f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the  
623 bishop's committee concludes that there may be grounds for discipline, the committee  
624 shall make recommendations concerning disciplinary action in accordance with the  
625 provisions of this church's constitution, bylaws, and continuing resolutions.

626

627 **\*C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former  
628 congregation before:

- 629 a. installation in another field of labor, or
- 630 b. the issuance of a certificate of dismissal or transfer.

631

632 **\*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered  
633 ministers, the privileges and responsibilities of each rostered minister shall be specified in  
634 documents to accompany the call and to be drafted in consultation involving the rostered  
635 ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the  
636 documents may be revised through a similar consultation.

637  
638  
639

640 **C9.28.** With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a.  
641 and call a deacon for a specific term. Details of such calls shall be in writing setting forth the  
642 purpose and conditions involved. Prior to the completion of a term, the bishop or a  
643 designated representative of the bishop shall meet with the deacon and representatives of this  
644 congregation for a review of the call. Such a call may also be terminated before its expiration  
645 in accordance with the provisions of \*C9.25.a.

646  
647 **\*C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the  
648 letter of call. In a parish of multiple congregations, the deacon shall hold membership in one  
649 of the congregations.

650  
651 **\*C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least  
652 90 days prior to each regular meeting of the Synod Assembly.

## 653 654 655 **Chapter 10. CONGREGATION MEETING**

656 C10. 01. The power and authority of the congregation shall be exercised through the congregational  
657 meeting, which shall be called and conducted in conformity with civil laws and the provisions of the  
658 constitution and bylaws of the congregation.

659  
660 C10. 02. The annual meeting of the congregation shall be held between **January 1 and January 31,**  
661 inclusive. The date and time to be set by the Church Council. Notice of the meeting shall be given as  
662 provided in the bylaws.

663  
664 C10. 02. 10 Announcement of the time and place of the annual meeting of the congregation shall be  
665 made at two public services immediately preceding the meeting, said services to be at least a week apart;  
666 and in such publications as the congregation or the pastor may periodically issue, or by written notice to  
667 the voting members mailed not less than ten days in advance of the meeting.

668  
669 C10. 02. 20 The current rosters of voting, confirmed, and baptized members shall be available at each  
670 meeting of the congregation.

671  
672 C10. 02. 30 The annual meeting shall receive reports from all the organizations of the congregation.  
673 Such reports, including a financial statement, shall be submitted to the church office not less than 15 days  
674 before such meeting.

675  
676 C10. 03. A quorum for any regular and special meeting of the congregation shall be **30 of the voting**  
677 members.

678  
679 C10. 04. Voting by proxy or by absentee ballot shall **not** be permitted.

680  
681 C10. 05. A special meeting of the congregation may be called by action of the congregation, by petition  
682 of at least **20 of the voting** members, or by any one of the following: the Church Council, the president  
683 of the congregation, or by the pastor. The president or Church Council shall call a special meeting upon  
684 the request of the Bishop. Official notice of a special meeting of the congregation shall be in writing and  
685 shall be posted conspicuously in the place where the congregation customarily worships. Such notice  
686 shall state the time, the place, and the purpose of the meeting. The notice of a special meeting shall also  
687 be read at all public services of the congregation held during the ten days preceding the date of the  
688 meeting. If no services are held during the stipulated time, not less than five days written notice of such  
689 meeting shall be given; provided, however, that no less than ten days' written notice of a meeting called  
690 to consider a resolution requesting the pastor to resign shall be given; and provided further that a meeting  
691 called to consider the disposition or encumbrance of real property must be called and held in conformity  
692 with such provisions of civil law as may be applicable.

693  
694 C10. 06. The pastor shall be notified of the time and place at which a special meeting of the  
695 congregation is to be held.

696  
697 C10. 07. Only the business for which a special meeting has been called shall be transacted at the  
698 meeting.

699 C10. 08. A meeting of the congregation may by majority vote recess to reconvene at a specified time and  
700 place. A meeting may also recess to reconvene upon call; provided however, that the time and place of  
701 such a reconvened meeting must be announced at a public service of the congregation, and not less than  
702 three days' written notice be given of the reconvened meeting.  
703

704 C10. 09. All actions by the congregation shall be by majority vote except as otherwise provided in this  
705 constitution.  
706

707 C10. 10. Robert's Rule of Order, latest edition, shall govern parliamentary procedure of all meetings of  
708 this congregation.  
709

710

## 711 **Chapter 11. OFFICERS**

712 C11. 01. The officers of this congregation shall be a president, vice-president, secretary and treasurer.

713 a. Duties of the officers shall be specified in the bylaws.

714 b. The officers shall be voting members of the congregation.

715 c. Officers of this congregation shall serve similar offices of the Church Council and shall  
716 be voting members of the Church Council.  
717

718 C11. 02. The congregation shall elect its officers and they shall be the officers of the congregation. The  
719 officers shall serve for one year or until their successors are elected. Their terms shall begin at the close  
720 of the annual meeting at which they are elected.

721 a. Only a voting member of the congregation shall be eligible to serve as an officer.

722 b. The **president** shall preside at the meetings of the Church Council and of the congregation.

723 c. The **vice-president** shall preside at the meetings of the Church Council and of the  
724 congregation in the absence of the president.

725 d. The **secretary** shall keep the minutes of the Church Council and of the congregation and have  
726 custody of the archives of the congregation.

727 e. The **treasurer** shall have custody of all funds of the congregation. He/she shall receive and  
728 disburse such funds in accordance with the decisions of the congregation or the Board of Trustees. The  
729 treasurer shall be responsible for the financial records of the congregation and of the church cemeteries.

730 (If the Treasurer is not a member of the congregation, they shall be accountable to the council. If  
731 the treasurer is hired, they will be hired on a yearly basis. If the treasurer is not a member of the  
732 congregation, they will not a voting member of the council.)

733 f. A **financial secretary** shall be appointed by the Church Council upon the recommendation of  
734 the Board of Trustees. The financial secretary shall maintain records of all contributions and make  
735 regular reports to the Church Council and to the members as required by the Church Council.  
736

737 C11. 03. a. No officer shall hold more than one office at a time.

738 b. No elected officer shall be eligible to serve more than two consecutive terms in the same  
739 office, with the exception of the Treasurer and the Financial Secretary who are able to serve  
740 unlimited consecutive terms  
741

742

743

## 743 **Chapter 12. CHURCH COUNCIL AND BOARDS**

744 C12. 01. The officers of the congregation and two members of each the Board of Deacons, the Board of  
745 Trustees and the Board of Education respectively, together with the pastor(s) shall constitute the Church  
746 Council.  
747

748 a. Any voting members of the congregation may be elected, subject only to the limitation on the  
749 length of continuous service permitted in that office.

749 b. A member's place on the Church Council shall be declared vacant if the member;

750 1. ceases to be a voting member of this congregation or

751 2. is absent from four successive regular meetings of the Church Council without cause.  
752

753

754 C12. 02. The members of the Church Council Boards except the pastor(s) and officers shall be elected to  
755 serve for three years or until their successors are elected. Such members shall be eligible to serve no  
756 more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at  
757 which they are elected.

- 758 C12. 03. Should a member's place on the Church Council be declared vacant, the Church Council upon  
759 the recommendation of the Board where the vacancy occurs shall elect, by majority vote, a successor  
760 until the next annual meeting.  
761
- 762 C12. 04. The Church Council shall have general oversight of the life and activities of this congregation,  
763 and in particular its worship life, to the end that everything be done in accordance with the Word of God  
764 and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Church  
765 Council shall include the following:
- 766 a. To lead this congregation in stating its mission, to do long-range planning, to set goals  
767 and priorities, and to evaluate its activities in light of its mission and goals.
  - 768 b. To seek to involve all members of this congregation in worship, learning, witness,  
769 service and support.
  - 770 c. To oversee and provide for the administration of this congregation to enable it to fulfill  
771 its functions and perform its mission.
  - 772 d. To maintain supportive relationships with the pastor(s) and staff and help them annually  
773 to evaluate the fulfillment of their calling, appointment or employment.
  - 774 To be examples individually and corporately of the style of life and ministry expected of all  
775 e. baptized persons.
  - 776 f. To promote a congregational climate of peace and goodwill and, as differences and  
777 conflicts arise, to endeavor to foster mutual understanding.
  - 778 g. To arrange for pastoral service during the sickness or absence of the pastor.
  - 779 h. To emphasize partnership with the synod and churchwide units of the Evangelical  
780 Lutheran Church in America as well as cooperation with other congregations, both Lutheran  
781 and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran  
782 Church in America.
  - 783 i. To recommend and encourage the use of program resources produced or approved by the  
784 Evangelical Lutheran Church in America.
  - 785 j. Have general oversight of the life and work of the congregation and to coordinate the  
786 activities of the boards and committees of the congregation.
  - 787 k. Determine rosters of the baptized, the confirmed and the voting members of the  
788 congregation.
  - 789 l. Perform such duties and responsibilities as are provided in this constitution and its  
790 bylaws.
  - 791 m. Secure necessary staff other than pastor(s), such as church musicians, parish education  
792 director, parish secretary, parish worker or youth worker, custodian, etc., and fix and review  
793 their salaries.
  - 794 n. Review annually the salary of the pastor(s) and make adjustments from time to time  
795 within the limits of the budget approved by the congregation.
  - 796 o. The Church Council shall present an annual budget prepared by the Board of Trustees for  
797 adoption by this congregation at the annual meeting, and shall supervise the expenditures of  
798 funds in accordance therewith following its adoption. The budget shall include this  
799 congregation's full indicated share in support of the wider ministry being carried on in  
800 partnership with the synod and churchwide organization.
  - 801 p. Elect upon nomination by the Board of Education, a coordinator of the Sunday Church  
802 School.
  - 803 q. Exercise discipline in accordance with the provisions of Chapter 15.
  - 804 r. Have authority between meetings of the congregation to choose delegates to any group or  
805 meeting in which the congregation is entitled to representation.
- 806
- 807 C12.05. The Congregation Council shall be responsible for the financial and property matters of this  
808 congregation.
- 809 a. The Congregation Council shall be the board of [trustees] [directors] of this congregation,  
810 and as such shall be responsible for maintaining and protecting its property and the  
811 management of its business and fiscal affairs. It shall have the powers and be subject to the  
812 obligations that pertain to such boards under the laws of the State of  
813 South Dakota, except as otherwise provided herein.
  - 814 b. The Congregation Council shall not have the authority to buy, sell, or encumber real  
815 property unless specifically authorized to do so by a meeting of the congregation.

- 816 c. The Congregation Council may enter into contracts of up to **\$20,000.00** for items not  
817 included in the budget.
- 818 d. The Congregation Council shall prepare an annual budget for adoption by this  
819 congregation, shall supervise the expenditure of funds in accordance therewith following  
820 its adoption, and may incur obligations of more than **\$10,000.00** in excess of the  
821 anticipated receipts only after approval by a Congregation Meeting. The budget shall  
822 include this congregation's full indicated share in support of the wider ministry being  
823 carried on in partnership with the synod and churchwide organization.
- 824 e. The Congregation Council shall ascertain that the financial affairs of this congregation are  
825 being conducted efficiently, giving particular attention to the prompt payment of all  
826 obligations and to the regular forwarding of benevolence monies to the synodical  
827 treasurer.
- 828 f. The Congregation Council shall be responsible for this congregation's investments and its  
829 total insurance program.
- 830

831 C12. 06. The Church Council shall see that the provisions of this constitution and its bylaws and the  
832 continuing resolutions are carried out.

833

834 C12. 07. The Church Council may appoint other committees as it deems necessary to fulfill the work and  
835 mission of this congregation.

836

837 C12. 08. The church council shall be responsible for the employment and supervision of the staff of the  
838 congregation.

839

840 C12.09. The Church Council shall submit a comprehensive report to this congregation at the annual  
841 meeting.

842

843 C12. 11. The Church Council shall normally meet once a month (or at least 4 times) a year. Special  
844 meetings may be called by the pastor or the president, and shall be called at the request of at least one-  
845 half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

846

847 C12. 12. A quorum for the transaction of business shall consist of a majority of the members of the  
848 Church Council, including the pastor or interim pastor, except when such person requests or consents to  
849 be absent and has given prior approval to an agenda of routine matters which shall be the only business of  
850 the meeting.

851

852 C12. 11. **BOARDS:** The duties of each board shall be those provided in the bylaws.

853

854 C12. 12. The **Board of Deacons** shall consist of six members elected at the annual meeting of the  
855 congregation, each for a term of three years. No member of the board shall be eligible to succeed  
856 himself/herself more than once. The pastor shall be an advisory member.

857 The duties and responsibilities of the Board of Deacons; shall be to provide spiritual leadership  
858 in the congregation, working with the pastor(s), to guide the work, witness, worship and service of the  
859 congregation in the world.

860 a. The **Board of Deacons** shall:

- 861 1. Elect from its own membership a chairperson and a secretary.
  - 862 2. Conduct regular meetings as needed at such time and place as the board may determine.
  - 863 3. Develop a program of evangelism.
  - 864 4. Consider matters relating to the worship of the congregation, and make  
865 recommendations to the annual meeting.
  - 866 5. Initiate and implement witness and service in the community.
  - 867 6 Assist the pastor upon his/her request with the conducting of the sacraments.
  - 868 7. Report its activities to the annual meeting of the congregation, and at such other times  
869 as the congregation may decide.
- 870
- 871
- 872

873 C12. 13. The **Board of Trustees** shall consist of six members elected at the annual meeting of the  
874 congregation, each for a term of three years. No member of the Board of Trustees shall be eligible to  
875 succeed himself/herself more than once. The pastor shall be an advisory member.

876 The duties and responsibilities of the Board of Trustees shall be to have charge of the general  
877 management of all matters relating to legal and corporate affairs and to supervise the maintenance of the  
878 properties of the congregation. All legal documents shall be signed by two officers of the congregation.

879 a. The **Board of Trustees** shall:

880 1. Elect from its own membership a chairperson and a secretary.

881 2. Conduct regular meetings as needed at such time and place as the board may  
882 determine.

883 3. Receive reports regularly from the treasurer and the financial secretary to ascertain that  
884 the expenditures are within the budget approved by the congregation.

885 4. Prepare a budget for review by the Church Council which shall make a recommendation  
886 for submission to the annual meeting of the congregation.

887 5. Appoint annually an auditing committee of two which shall audit the fiscal records of the  
888 congregation and report its findings in writing to the annual meeting. Such audits shall  
889 include examination of existing insurance coverage.

890 6. Be responsible for the buildings and premises of the congregation so that their use is  
891 normally limited to the functions of the congregation. Should groups or individuals not  
892 associated with the congregation desire to use such property, application shall be made to the  
893 Board of Trustees for its approval.

894 7. The Board of Trustees shall be responsible for this congregation's investments and its  
895 total insurance program.

896 8. Report its activities to the annual meeting of the congregation and at such other times as  
897 the congregation may decide.  
898

899 C12. 14. The **Board of Education** shall consist of six members elected at the annual meeting of the  
900 congregation, each for a term of three years. No member of the Board of Education shall be eligible to  
901 succeed himself/herself more than once. The pastor shall be an advisory member.

902 The duties and responsibilities of the Board of Education shall be to provide leadership and  
903 supervision of the educational program of the congregation.

904 a. The **Board of Education** shall:

905 1. Elect from its own membership a chairperson and a secretary

906 2. Conduct regular meetings as needed at such time and place as the board may determine.

907 3. Develop an effective teaching ministry which includes the training of teachers and  
908 leaders, and provide opportunity for study by every member of the congregation through its  
909 teaching agencies.

910 4. Nominate candidates for Sunday Church School Coordinator to the Church Council.

911 5. Report its activities to the annual meeting of the congregation and at such other times as  
912 the congregation may decide.  
913  
914

### 915 **Chapter 13. CONGREGATIONAL COMMITTEES**

916 C13. 01. 10 The annual meeting of the congregation shall elect a **Nominating Committee** of five  
917 members. The pastor shall serve as convener and as an advisory member. The term of office of the  
918 members of the nominating committee shall be one year. The nominating committee shall nominate one  
919 or more candidates for each office to be filled and shall secure the consent of each candidate. In addition  
920 to the candidates submitted by the nominating committee, additional nominations may be made from the  
921 floor. The Church Council shall fill vacancies on the nominating committee.

922 C13. 02. Other congregational committees may be formed as the need arises, by decision of the Church  
923 Council; such as a Cemetery Committee, Audit Committee, Call Committee  
924

925 C13. 03. Duties of congregational committees shall be specified in the bylaws or continuing resolutions.  
926  
927  
928  
929  
930  
931



932 **Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION**

933 C14. 01. All organizations within this congregation shall exist to aid it in ministering to the members of  
934 this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and  
935 expressions of this congregation's life, the organizations are subject to its oversight and direction. This  
936 congregation at its meeting shall determine their policies, guide their activities, and receive reports  
937 concerning their membership, work and finances.

938  
939 C14. 02. Special interest groups, other than those of the official organizations of the Evangelical  
940 Lutheran Church in America, may be organized only after authorization has been given by the Church  
941 Council and specified in a continuing resolution.

942  
943 **Chapter 15. DISCIPLINE OF MEMBERS**

944 C15. 01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a  
945 member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for  
946 discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew  
947 18: 15-17, proceeding through these successive steps:

- 948 a. private admonition by the pastor,  
949 b. admonition by the pastor in the presence of two or three witnesses, and  
950 c. citation to appear before the Church Council.

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952 C15. 02. A member charged with the offense shall appear before the Church Council having received a  
953 written notice, specifying the exact charges that have been made against the member, at least 10 days  
954 prior to the meeting.

955  
956 C15. 03. Should the allegations be sustained by a two-thirds majority vote of the Church Council, the  
957 Council shall impose one of the following disciplinary actions:

- 958 a. Censure before the Council or congregation;  
959 b. Suspension from membership for a definite period of time;  
960 c. Exclusion from membership in this congregation.  
961 d. Disciplinary actions b. and c. shall be delivered to the member in writing.

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963 C15. 04. The member against whom disciplinary action has been taken by the Church Council shall have  
964 the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of  
965 the Synod Council shall be final.

966  
967 C15. 05. Disciplinary actions may be reconsidered and revoked by the Church Council upon receipt of  
968 a. evidence that injustice has been done or  
969 b. evidence of repentance and amendment.

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972 **Chapter 17. BYLAWS**

973 **\*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

974  
975 **\*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a  
976 quorum present by a two-thirds vote of those voting members present and voting.

977  
978 **\*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions  
979 or amendments be submitted in writing to the Congregation Council at least 60 days before a  
980 regular or special Congregation Meeting called for that purpose. The Congregation Council  
981 shall notify this congregation's members of the proposal with the council's recommendations  
982 at least 30 days in advance of the Congregation Meeting. Notification may take place by mail  
983 or electronic means, as permitted by state law.

984  
985 **\*C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the  
986 synod.

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991 **Chapter 18. CONTINUING RESOLUTIONS**

992 C18. 01. The Church Council may enact continuing resolutions which describe the function of the  
993 various committees or organizations of this congregation.  
994

995 C18. 02. Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members  
996 of the Church Council.  
997

998 **Chapter 19. INDEMNIFICATION**

999 **\*C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this  
1000 congregation may adopt provisions providing indemnification for each person who, by reason  
1001 of the fact that such person is or was a Congregation Council member, officer, employee,  
1002 agent, or other member of any committee of this congregation, was or is threatened to be made  
1003 a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or  
1004 investigative proceeding.  
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1007 **Chapter 20. PARISH AUTHORIZATION**

1008 **\*C20.01.** This congregation may unite in partnership with one or more other congregations recognized  
1009 by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and  
1010 \*C20.03., a written agreement, developed in consultation with the synod and approved by the  
1011 voting members of each congregation participating in the parish, shall specify the powers and  
1012 responsibilities that have been delegated to the Parish Council. The Parish Agreement shall  
1013 identify which congregation of the parish issues calls on behalf of the member congregations  
1014 or shall establish a process for identifying which congregation issues calls on behalf of the  
1015 member congregations.  
1016

1017 **\*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a  
1018 minister of Word and Sacrament or a candidate for the roster of Ministers of Word and  
1019 Sacrament who has been recommended by the synodical bishop to serve the congregations of  
1020 the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a  
1021 congregational meeting of each congregation forming the parish. If any congregation of the  
1022 parish should fail to approve the call, the other congregations of the parish shall have the  
1023 right to terminate the parish agreement.  
1024

1025 **\*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a  
1026 minister of Word and Service or a candidate for the roster of Ministers of Word and Service  
1027 who has been recommended by the synodical bishop to serve the congregations of the parish.  
1028 Such a call shall be approved prior to issuance by a two-thirds vote at a congregational  
1029 meeting of each congregation forming the parish. If any congregation of the parish should  
1030 fail to approve the call, the other congregations of the parish shall have the right to terminate  
1031 the parish agreement.  
1032

1033 **\*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as  
1034 provided in †S14.18.d. of the synodical constitution of the synod named in \*C6.01. In such  
1035 case, the other congregation(s) of the same parish shall have the right to terminate the parish  
1036 agreement.  
1037

1038 **\*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister  
1039 of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod  
1040 named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the  
1041 right to terminate the parish agreement.  
1042

1043 **\*C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that  
1044 parish is terminated. Should any congregation that was formerly part of the parish agreement desire to  
1045 issue a new call to that rostered minister, it may do so in accordance with the call process of this church